

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

HERSHEL SLAUGHTER JR.,

CASE NO. 01-CV-868

Petitioner,

Judge Spiegel

v.

Magistrate Judge Hogan

ANTHONY BRIGANO, WARDEN,

Respondent.

RESPONDENT'S MOTION FOR AN EXTENSION OF TIME

Now comes Respondent, by and through counsel, and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, respectfully moves this Court for an order granting an extension of time of fourteen days, through and including April 8, 2004, in which to file the trial transcript of this case. A Memorandum in Support is attached.

Respectfully submitted,

Jim Petro
Ohio Attorney General

S/Diane Mallory
Diane Mallory (0014867)
Assistant Attorney General
Corrections Litigation Section
150 East Gay Street, 16th Floor
Columbus, Ohio 43215
(614) 644-7233

MEMORANDUM IN SUPPORT

On March 5, 2004, this Court issued an order directing Respondent to file a copy of the trial transcript within 20 days. Respondent did not have the transcript and had to obtain it from the court. Respondent's counsel just received the transcript today, March 24, 2004. The transcript is voluminous, consisting of nine volumes. Respondent needs additional time to copy the transcript and prepare it for filing. Respondent therefore asks for an extension of time of fourteen days, until April 8, 2004, in which to file the transcript.

Respectfully submitted,

Jim Petro
Ohio Attorney General

S/Diane Mallory
Diane Mallory (0014867)
Assistant Attorney General
Corrections Litigation Section
150 East Gay Street, 16th Floor
Columbus, Ohio 43215
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed by regular, first-class mail to Hershel Slaughter, #363-213, Warren Correctional Institution, P.O. Box 120, Lebanon, Ohio 45036-0120, on the 24th day of March, 2004.

S/Diane Mallory